MEETINGS TO DATE 27 NO. OF REGULARS 24 NO. OF SPECIALS 3

LANCASTER, NEW YORK DECEMBER 17, 1973

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 17th day of December, 1973 at 8:00 P.M. and there were

PRESENT:

JOSEPH R. BARNHARDT, COUNCILMAN, EDWARD A. BERENT, COUNCILMAN PETER J. BOLENDER, COUNCILMAN ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY

EDWARD J. FERON, JR., TOWN ENGINEER

JOHN F. LUME, HIGHWAY SUPERINTENDENT

VICTOR H. OTT, POLICE CHIEF

WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR

JOHN M. COSTELLO, ASSESSOR III

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the contracting with the Bowmansville Volunteer Fire Association, Inc. for fire protection to the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS:

<u>ADDRESS</u>

Mr. Lloyd Knose, President Bowmansville Vol. Fire Assn. Inc.

52 Pleasant View Drive Lancaster, New York 14086

OPPONENTS:

ADDRESS

None

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ

AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:05 P.M.

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the contracting with the Millgrove Volunteer Fire Department, Inc. for fire protection to the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS:

ADDRESS

None

OPPONENTS:

ADDRESS

None

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:12 P.M.

PUBLIC HEARING SCHEDULED FOR 8:20 P.M.:

At 8:20 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the contracting with the Town Line Volunteer Fire Department, Inc. for fire protection to the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS:

ADDRESS

None

OPPONENTS:

<u>ADDRESS</u>

None

ON MOTION BY, COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:20 P.M.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the contracting with the Twin District Volunteer Fire Company, Inc. for fire protection to the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS:

ADDRESS

Mr. Thomas Bulera, President Twin District Vol. Fire Co. Inc. 594 Lake Avenue Lancaster, New York 14086

Mr. John Raichel, Chief Twin District Vol. Fire Co. Inc.

517 Lake Avenue Lancaster, New York 14086

OPPONENTS:

ADDRESS

None

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ

AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:32 P.M.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

DEPARTMENT		MONTH OR	MONTH OF	

Town Clerk November, 1973

Police Department November, 1973

Zoning Inspector September, October, and November,

1973

Ambulance November, 1973

COMMITTEE REPORTS:

Councilman Barnhardt, for the Planning Committee, reported that he and the Committee Members interviewed all applicants who had previously applied for appointment to the position of Planning Board Member and that a recommendation and appointment will be forthcoming at the Organizational Meeting scheduled for January 1, 1974.

Supervisor Weimer, for the Industrial Development Agency, presented and read a report entitled "Interim Report on Progress of Dome Stadium Project".

The Supervisor directed the Town Clerk to file the report as part of the official records of this meeting.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

RESOLVED, that the Minutes of the Regular Meeting of the Town Board held on December 3, 1973, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

WHEREAS, Charles J. Gerlock, Dog Warden of the Town of Lancaster, has retired from said position effective December 31, 1973, and

WHEREAS, said Charles J. Gerlock has discharged the duties of his difficult office in an exemplary manner over the past ten years,

'NOW, THEREFORE, BE IT ...

RESOLVED, that the Town Board extends its heartfelt best wishes to Charles J. Gerlock on the occasion of his retirement as Dog Warden of the Town of Lancaster and extends its sincere best wishes to Mr. Gerlock in his retirement and all of his future endeavors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

-COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

dxkx

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

WHEREAS, the present Dog Warden, Charles J. Gerlock, has retired effective December 31, 1973, and

WHEREAS, Roy H. Seamans has performed services as substitute Dog Warden over the last five years,

NOW, THEREFORE, BE IT

RESOLVED, that Roy H. Seamans be and hereby is appointed Dog Warden of the Town of Lancaster for the years 1974 and 1975, effective January 1, 1974, at a salary as set forth in the Schedule of Salaries for said years.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

okux kyx

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, John F. Pasquariello, Recreation Director of the Town of Lancaster has requested permission to attend the New York State Physical Education, Health and Recreation Conference to be held at the Concord Hotel, Kiamesha Lake, New York, on January 24, 25, 26 and 27, and

WHEREAS, the Lancaster Recreation Commission has approved such request,

NOW, THEREFORE, BE IT

RESOLVED, that John F. Pasquariello be and hereby is authorized to attend the New York State Physical Education, Health and Recreation Conference to be held at the Concord Hotel, Kiamesha Lake, New York, on January 24, 25, 26, and 27, 1974, with reimbursement for actual and necessary expenses not to exceed \$275.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

WHEREAS, Section 209-m of the General Municipal Law of the State of New York, providing for outside service by local police and civil disturbance control, requires the designation of the chain of command for providing or requesting assistance whenever the public interest requires it, and

WHEREAS Subdivision 4 of Section 209-m of the General Municipal Law delegates such authority to the Chief of Police in the absence or disability of the Supervisor,

NOW, THEREFORE, BE IT

RESOLVED, that the following shall apply to the emergency situations envisioned by Section 209-m of the General Municipal Law:

- In the absence or disability of the Supervisor, the Chief of Police may exercise such authority.
- In the absence or disability of the Chief of Police, such authority shall be granted to any Police Officer in command of the Police Department during the absence, illness or disability of the Chief of Police or who is authorized to exercise the powers of the Chief of Police in emergency situations,

and

BE IT FURTHER

RESOLVED, that, in accordance with the request of the Police

Commissioner of the City of Buffalo, the Chief of Police of the Town of

Lancaster forward a detailed list of the chain of command authorized to act

in emergency situations.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

WHEREAS, a vacancy exists in the work force of the Highway Department of the Town of Lancaster, and

WHEREAS, The Highway Superintendent has recommended the employment of Michael Fudoli to fill said vacancy, and

WHEREAS, the Highway Committee of the Town Board concurs in such recommendation,

NOW, THEREFORE, BE IT

RESOLVED, that Michael Fudoli, 6335 Transit Road, Depew, New York, be and hereby is employed as Laborer 2nd Grade in the Highway Department of the Town of Lancaster, effective December 18, 1973, at a salary as set forth in the Schedule of Salaries for said position.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

dukx

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the appointment of three individuals to the Reserve Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed to the Reserve Volunteer Ambulance Corps of the Town of Lancaster, effective January 1, 1974, at an annual salary of \$1.00 each:

Richard G. Spoth, 218 Central Avenue, Lancaster, N.Y. Delores Spoth, 218 Central Avenue, Lancaster, N.Y. Thaddeus J. Ostrowski, 62 Cotton Street, Lancaster, N.Y.

and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed to take whatever action necessary with the United States Fidelity and Guaranty Company to provide Workmen's Compensation Insurance to cover the foregoing members of the Town of Lancaster Reserve Volunteer Ambulance Corps.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ. TO WIT:

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WHEREAS, the Town of Lancaster has previously invited bids for the furnishing of fuel oil for the needs and requirements of the Town of Lancaster for the year 1974, and

WHEREAS, the only bid submitted was that of Kurk Fuel Oil Company, 1276 Harlem Road, Cheektowaga, New York, and

WHEREAS, said bid was in the amount of \$.259 per gallon with the stipulation that said price could not be a firm bid in view of unsettled world market price of petroleum products, and

Law of the State of New York, in the case of a public emergency arising out of accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a municipality require immediate action in the letting of contracts, certain requirements governing the letting of contracts under said Section 103 of the General Municipal Law may be waived, and

WHEREAS, the present world energy crisis caused by the shortage of petroleum products is deemed by the Town Board of the Town of Lancaster to be such a public emergency,

NOW, THEREFORE, BE IT

RESOLVED, that the bid of Kurk Fuel Oil Company in the amount of \$.259 per gallon, said price being subject to change in the event of future raises in wholesale petroleum prices, be and hereby is accepted, with oil delivered to be metered and metered delivery checks to be submitted therewith, and

BE IT FURTHER

RESOLVED, that the Town Attorney prepare the necessary contract and the Supervisor be and hereby is authorized and directed to execute said contract on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

duxky
The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

WHEREAS, the architect for the new Lancaster Branch Library has recommended soil test borings by Anderson Drilling Company in accordance with their proposal dated November 1, 1973, and

WHEREAS, said soil test borings are necessary for the completion of plans for the new library,

NOW, THEREFORE, BE IT

RESOLVED, that Clarence E. Donath of Kideney, Smith, Fitzgerald & Partners, Architects for the new Lancaster Branch Library, be and hereby is a authorized to order the soil test borings necessary for the completion of plans for the library, and

BE IT FURTHER

RESOLVED, that the sum of \$1,000 be transferred from the General Fund Account, Unappropriated Surplus, to the General Fund Account No. 7410.49, Construction Lancaster Branch Library, to cover the cost of said soil test borings.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, as Chief Fiscal Officer, has recommended retention of the certified public accounting firm of Clarence Rainess & Company for accounting services during fiscal year 1974 in accordance with proposal submitted to the Supervisor dated December 12, 1973, and

WHEREAS, said accounting firm will be of material assistance in the operation of the fiscal affairs of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Clarence Rainess & Company be and hereby is retained to perform the accounting and fiscal services for the Town of Lancaster during the year 1974 in accordance with their proposal dated December 12, 1973, and

BE IT FURTHER

RESOLVED, that the Supervisor be authorized to sign said proposal and forward same to Clarence Rainess & Company.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR WEIMER, SECONDED BY THE ENTIRE TOWN BOARD:

WHEREAS, Helen M. Molik, Secretary to the Supervisor of the Town of Lancaster, has tendered her resignation effective December 31, 1973, and

WHEREAS, Mrs. Molik has served continuously as Secretary to the Supervisor since 1948, first in a position of private employment as Secretary to the late Supervisor Stanley J. Keysa and thereafter in the public position as Secretary to the Supervisor, and

WHEREAS, Helen M. Molik has been an extraordinarily talented public servant in dealing with the many day-to-day problems encountered by the citizens of the Town of Lancaster, including public assistance, contact with other municipal, County, State and Federal agencies and in managing the internal bookkeeping and administrative duties of the Supervisor's office, and

WHEREAS, the Town of Lancaster is losing, in the resignation of Mrs.

Molik, a dedicated, loyal, hard-working public servant in the highest tradition of public service,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster extends its sincere best wishes and felicitations to Helen M. Molik on the occasion of her retirement from public service as Secretary to the Supervisor of the Town of Lancaster and extends its sincere and heartfelt thanks for the innumerable acts of devotion to duty performed throughout her long period of public service on behalf of the people of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT , TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc. by letter dated December 3, 1973 has requested the additions to the active roster of the Town Line Volunteer Fire Department, Inc. as contained therein

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adds the following individuals to the active roster of the Town Line Volunteer Fire Department, Inc.

ADDITIONS

Steven C. Tee 11011 Broadway Town Line, New York

James J. Myers 6479 Broadway Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

dox kyx

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ, TO WIT:

WHEREAS, Lancaster Sanitary Land Fill Inc., 2255 Bailey Avenue, Buffalo, New York, has applied for a permit to operate a Sanitary Land Fill within the Town of Lancaster for the year 1974

NOW, THEREFORE, BE IT RESOLVED, as follows:

That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Lancaster Sanitary Land Fill, Inc., 2255 Bailey Avenue, Buffalo, New York, for the purpose of operating a Sanitary Land Fill Within the Town of Lancaster during the year 1974 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$25,000.00

and

BE IT FURTHER

RESOLVED, that the following surety bond be and is hemeby approved as to form and sufficiency of the surety:

The Travelers Indemnity Company and Lancaster Sanitary Land Fill, Inc. in the amount of \$25,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

dakx

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore advertised for bids to be received December 3, 1973 for three (3) new 1974 automobiles for the use of the Police Department, and

WHEREAS, all bids submitted for said automobiles were in excess of estimated cost,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution of the Town Board of the Town of Lancaster adopted November 19, 1973, calling for bids for three (3) new 1974 automobiles for the use of the Police Department be and hereby is rescinded and that the bids received pursuant thereto be and hereby are rejected, with bid security to be returned to the bidders.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BERENT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

秋水水 The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the following volunteer fire companies have heretofore entered into contracts with the Town of Lancaster to furnish fire protection to the Town of Lancaster:

- 1. Bowmansville Volunteer Fire Association, Inc.
- 2. Millgrove Volunteer Fire Department, Inc.
- 3. Town Line Volunteer Fire Department, Inc.
- 4. Twin District Volunteer Fire Company, Inc.

and,

WHEREAS, by mutual agreement by and between said fire companies and the Town of Lancaster, said parties have requested termination of the said agreements and new contracts in lieu thereof to provide for increased amounts to be paid annually commencing with the year 1974, and

WHEREAS, said fire companies agree to provide said fire protection for the year 1974 and annually thereafter for three (3) additional calendar years, in the following amounts:

1	•	Bowmansville	Volunteer	Fire	Association,	Inc.	\$ 14,000.00

2. Millgrove Volunteer Fire Department, Inc. 3,375.00

3. Town Line Volunteer Fire Department, Inc. 14,000.00

4. Twin District Volunteer Fire Company, Inc. 14,000.00

and

WHEREAS, a separate hearing on each fire protection contract for each of the above fire companies was duly held on the 17th day of December, 1973, pursuant to legal notice duly given,

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with Section 184 of the Town Law of the State of New York, the Town Board of the Town of Lancaster hereby determines it is in the public interest to terminate its agreements on behalf of the Fire Protection District of the Town of Lancaster with the hereinafter named fire companies, effective January 1, 1974, and enter into new contracts with said fire companies in lieu thereof effective January 1, 1974, for the

following amounts and term, unless terminated or amended in accordance with Section 184 of the Town Law of the State of New York:

- 1. Bowmansville Volunteer Fire Association, Inc., the sum of Fourteen Thousand Dollars (\$14,000.00) for the calendar year 1974 and annually thereafter for a period not exceeding three (3) additional calendar years.
- 2. Millgrove Volunteer Fire Department, Inc., the sum of Three Thousand Three Hundred and Seventy-five Dollars (\$3,375.00) for the calendar year 1974 and annually thereafter for a period not exceeding three (3) additional calendar years.
- 3. Town Line Volunteer Fire Department, Inc., the sum of Fourteen Thousand Dollars (\$14,000.00) for the calendar year 1974 and annually thereafter for a period not exceeding three (3) additional calendar years.
- 4. Twin District Volunteer Fire Company, Inc., the sum of Fourteen Thousand Dollars (\$14,000.00) for the calendar year 1974 and annually thereafter for a period not exceeding three (3) additional calendar years,

and

BE IT FURTHER

RESOLVED, that the Supervisor execute and deliver an agreement incorporating said terms and with such other terms and conditions as shall be agreed upon by the Supervisor, the Town Attorney and the following fire companies:

- 1. Bowmansville Volunteer Fire Association, Inc.
- 2. Millgrove Volunteer Fire Department, Inc.
- 3. Town Line Volunteer Fire Department, Inc.
- 4. Twin District Volunteer Fire Company, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

WHEREAS, the Town of Lancaster has experienced low water pressure problems in the Master Water Improvement Area and interconnected special water district lines, and

WHEREAS, the original plans for the Master Water Improvement Area recommended water storage facilities for fire protection and adequate pressure in certain isolated areas of the Township, and

WHEREAS, the Town Engineers have recommended, by report dated

November 1, 1973, the undertaking of a comprehensive study of this problem,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster retain Krehbiel-Guay-Rugg-Hall for the purpose of making a study of the Town of Lancaster water system for the correction of low pressure and to establish water storage facilities for fire protection, all in accordance with their letter of November 1, 1973.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES

BEXX

VOTED YES

The resolution was thereupon unanimously adopted.

SUPERVISOR WEIMER

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the Town of Lancaster is undertaking the repair, remodeling, refurbishing and reconstruction of certain portions of the Pavement Road Nike Site to accommodate a number of departments of Town Government, and

WHEREAS, the Town of Lancaster has heretofore retained William R.

Trautman Associates to prepare a feasibility study with regard thereto, and

WHEREAS, it is the intention of the Town Board to advance such plans to the preliminary design stage,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby retains William R. Trautman Associates in accordance with its letter of December 13, 1973, to prepare
the preliminary design for the repair, remodeling, refurbishing and reconstruction of certain portions of the Pavement Road Nike Site to accommodate a number
of departments of Town Government, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Standard Form of Agreement between the Town of Lancaster and said William R. Trautman Associates for said prefessional services, and

BE IT FURTHER

RESOLVED, that the sum of \$12,600 be transferred from the General Fund Account Unappropriated Surplus to the General Fund Account No. 1621.30, Town Gov. Offices-Pavement Road, Purchase and Improvements, to cover the cost of said professional services.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT. TO WIT:

whereas, the Chief of Police has informed the Town Board that private enterprises in the Town of Lancaster have a pressing need for alarms of burglary and/or fire to be monitored in the Town Police Department, and

WHEREAS, a uniform system of such alarms is to be incorporated in the new Police Headquarters at the Pavement Road former Nike Site when such site becomes operational, for the purpose of combating the crimes of burglary and arson and for the protection of property within the Town of Lancaster, and

WHEREAS, it is the desire of the Town Board to accommodate such private interests which, in the discretion of the Chief of Police and the Police Committee, manifest a clear need for such monitoring of alarm systems in the present Town of Lancaster Police Headquarters on a temporary basis,

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police be and hereby is authorized to allow monitoring of burglar and fire alarms to private interests to be connected at the Town Police Headquarters on a temporary basis, upon execution of a temporary Memorandum of Agreement with release of liability clause by said private interests and the Supervisor of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has determined, upon the recommendation of the Highway Superintendent and the Highway Committee that the following items of personal property owned by the Town of Lancaster for Highway Department use are no longer required for Town use and that such items are surplus to the needs of the Town of Lancaster:

l 1949 Huber Tandem Roller l 1959 Trojan Loader

* 3 V Type Plows

2 Wausa Plows, Model B 102

Corman Rupp 3'' Pump

Wayne Self-propelled Broom

NOW, THEREFORE, BE IT

RESOLVED, that John Lume, Highway Superintendent of the Town of Lancaster is hereby authorized and directed to sell as separate items at public auction the aforesaid surplus items on January 5, 1974, at 10:00 o'clock A.M., Eastern Standard Time, at the Town of Lancaster Highway Garage, 3789 Walden Avenue, Lancaster, New York, to the highest bidder with the terms of said sale to be as follows:

- Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.
- 2. Items of personal property shall be sold as junk, as is, with no warranty whatever.
- 3. Items sold shall be removed from place of sale no later than 72 hours after sale.
- 4. A minimum acceptable bid shall be set by the Highway Superintendent at the time of sale for each separate item

and

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BE IT FURTHER

RESOLVED, that the Town Clerk shall give Notice of such sale by publishing a Notice in the Lancaster Enterprise-Journal on December 20, 1973 and January 3, 1974 and by posting such notice on the Town Bulletin Board on December 20, 1973, and by giving notice of such sale by mail to area junk dealers.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

WHEREAS, by resolution of December 3, 1973, the Town Board authorized the amendment of the Zoning Ordinance to incorporate certain Flood Plain.

Regulations governing the use of areas subject to periodic flooding within the Town of Lancaster, and

WHEREAS, the Planning Consultant for the Town of Lancaster has submitted an overlay map to the Zoning Map of the Town of Lancaster indicating such areas subject to periodic flooding, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended

Town Board approval and adoption of said overlay map to the Zoning Map,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts the overlay map to the Zoning Map of the Town of Lancaster, said overlay map to be used by the Building Inspector in the proper administration of the Flood Plain Regulations incorporated in the Zoning Ordinance as adopted by the Town Board on December 3, 1973.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

dwkx
The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ, TO WIT:

WHEREAS, Pine Hill Concrete Mix Corporation, 2255 Bailey Avenue, Buffalo, New York; Lancaster Stone Products Corporation, 5833 Main Street, Buffalo, New York; and Houdaille Construction Materials, Inc. (Buffalo Plant) within the Town of Lancaster, have filed applications with the Town Clerk of the Town of Lancaster to make excavations within the Town of Lancaster during the year 1974

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- Section 1 That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Pine Hill Concrete Mix Corporation, 2255
 Bailey Avenue, Buffalo, New York, for the purpose of making excavations within the Town of Lancaster during the year 1974 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$50,000.00.
- Section 2 That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Lancaster Stone Products Corporation, 5833 Main Street, Buffalo, New York, for the purpose of making excavations within the Town of Lancaster during the year 1974 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$50,000.00.
- Section 3 That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Houdaille Construction Materials, inc. (Buffalo Plant) for the purpose of making excavations within the Town of Lancaster during the year 1974 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$50,000.00

and,

BE IT FURTHER

RESOLVED, that the following surety bonds be and are hereby approved as to form and sufficiency of the surety:

The Travelers Indemnity Company and Pine Hill Concrete Mix Corporation in the amount of \$50,000.00.

The Travelers Indemnity Company and Lancaster Stone Products Corporation in the amount of \$50,000.00.

Liberty Mutual Insurance Company and Houdaille Construction Materials, Inc. in the amount of \$50,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

สมรม The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT	
General Funds	No. 6652 to 6723 Incl.	\$ 27,164.31	
Special District Funds	No. 1280 to 1283 Incl.	6,906.24	
Part Town Funds	No. 1529 to 1533 Incl.	1,545.63	
Highway Funds	No. 3204 to 3218 Incl.	10,243.23	
Trust & Agency Funds	No. 503 to 505 Incl.	2,301.94	

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

dwkx
The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	<u>ADDRESS</u>	STRUCTURE
151	Pine Hill Conc	rete E. Schisler Road	DEM. FR. BARN, COOP,
	Mix Corp.	지원 : 10 명이 되는 기계 기계 등을 가는 것이 되었다. 회사 : 10 명이 되는 10 명이 기계	SING. DWLG.
152	Town Line Lumb	per 8 Ronald Drive	EX. FR. SING. DWLG.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

Hwkx
The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER , WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN METZ
TO WIT:

BE IT RESOLVED, that the following transfers within the General Fund of the Town of Lancaster be effected:

	To		From	
<u>Justices</u>	Account	Amount	Account	Amount
Clerks	A.00.1110.13	\$345.36		
Stenographic Services			A.00.1110.12	\$345.36
Central Printing and Mailing				
Printing, stationery & Publications	A.00.1670.41	500.00		
Transfer from Unapprop. Bal.			A.00.9999.00	500.00
Police and Constables	A.00.3120.45	500.00		
Gasoline, oil, maintenance Radio maint. and repair	H.00.3120.45	500.00	A.00.3120.43	500.00
idalo mallo dia lopali			11.001,512.0145	700.00
Clothing Allowance	A.00.3120.47	328.90		
Training Programs			A.00.3120.46	250.00
Automotive			A.00.3120.21	78.90
Control of Animals - Dog Warden Salary of Sub. Dog Warden	A.00.3510.12	106.59		
Gasoline, oil, anti-freeze	H.00.3710.12	100.59	A.00.3510.45	106.59
daborrie, orr, and-freeze			21.00.3710.47	100.75

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN H	BARNHARDT VOTED	YES
COUNCILMAN E	BERENT VOTED	YES
COUNCILMAN H	BOLENDER VOTED	YES
COUNCILMAN N	ÆTZ VOTED	YES
SUPERVISOR V	VEIMER VOTED	YES

The resolution was declared unanimously adopted.

DATED: December 17, 1973

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Traffic Study - Walden Avenue

On March 12, 1973 the New York State Department of Transportation indicated that the necessary speed checks for this study were being taken during the week of February 26th and that a report will be forthcoming.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuqa Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

5. Railroad Crossing - Improved Safety

Councilman Metz indicated to the Town Board that the repairs to the Steinfeldt Road and Pavement Road crossings have been completed.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

PERSONS DESIRING TO ADDRESS THE TOWN BOARD:

Mr. Henry Niejadlik, 118 Woodlawn Avenue, Depew, New York, Treasurer of Local 503 of the Carpenters Union, and Mr. Boyd Davis, 63 Briarwood Drive, Lancaster, New York, discussed at length with the Town Board the present status of the proposed Dome facility and Labor Hall of Fame which project is presently before the Industrial Development Agency of the Town of Lancaster.

Mrs. Edith Fuldauer, 12 Clark Street, Lancaster, New York, asked the Supervisor if the new Lancaster Towers Apartment Complex is equipped with a sprinkler system.

The Supervisor informed Mrs. Fuldauer that Lancaster Towers is a Village project and her inquiry should be directed to the Village Superintendent of Public Works.

Mr. Jack Bromwich, 5593 Broadway, Lancaster, New York, asked the Town Board if the proposed Labor Hall of Fame would be tax exempt.

The Supervisor and Town Attorney informed Mr. Bromwich that to the best of their knowledge, from all present data furnished to them it is believed that the Labor Hall of Fame would be tax exempt.

Mr. Donald Diebel, 2 Elm Place, Lancaster, New York, suggested to the Town Board that a citizens committee be formed to review and disseminate information to the public relative to the proposed Dome Stadium and Labor Hall of Fame.

Mr. John Costello, 15 West Payne Street, Lancaster, New York, in reply to Mr. Diebel, stated that the voters just one (1) month ago overwhelmingly gave a vote of confidence to the present Town Board by returning them to office with a substantial majority and that the Town Board should be commended for their businesslike action relative to the handling of the proposed Dome Stadium and Labor Hall of Fame.

COMMUNICATIONS:	DISPOSITION
479. Town Clerk to Town Board - Resume of action taken in response to resolutions and directions - Meeting of December 3, 1973.	R & F
480. Mayor Rozler to Town Board - Re: Meeting of November 27th regarding snowmobile trails in Como Park.	Recreation Commission Planning Committee Town Clerk for Reply
481. Town Line Volunteer Fire Department, Inc. to Town Clerk - Additions to Roster of Members to include Steven C. Tee and James J. Myers.	R & F
482. Earnest N. Miller to Town Board - Re: Harris Hill Road Drainage Problem.	Drainage Committee
483. Commissioner, New York State Department of Transportation to Town Clerk - Re: Establishment of 50 M.P.H. Statewick Speed Limit.	R & F
484. Congressman Kemp to Town Clerk - Re: Negotiations with Canadian National Energy Board to insure steady flow of industrial heating oil to Western New York.	R & F
485. Chief Ott to Town Board - Request confirmation of Richard G. Spoth Delores Spoth, and Thaddeus J. Ostrowsk to Reserve Volunteer Ambulance Corps.	
486. Chief Ott to Town Board - Request rejection of Bids - Three (3) new 1974 Police Cars - Bid 12/3/73.	R & F
487. Town Clerk to Secretary, Planning Board - Transmittal - Rezone Petition for Doralco Inc.	<u>R&F</u>
488. Kideney, Smith, Fitzgerald & Partners to Supervisor - Re: Estimate for soil test borings - Anderson Drilling Company - Lancaster Public Library.	R & F
489. Supervisor to Town Board - Request transfer of funds.	<u>R & F</u>
490. Charles J. Gerlock to Town Board - Notification - Retirement as Dog Warden effective 1/1/74.	R & F
491. Supervisor to Town Board - Request transfer of funds - Police Budget.	R & F
492. Nassau County Village Officials Association to Supervisor - Transmittal - Position Papers on legislation designed to strip Towns and Villages of land use powers and functions.	n Planning Board Secy. Planning Committee

COMMUNICATIONS:

DISPOSITION

		in the last of the
	Department of the Army, Buffalo District, Corps of Engineers to Town Clerk -	Conservation Comm, Se
	Transmittal - Draft Environmental Impact Statement on proposed Water	1.
	Resources Development in Ellicott Creek Basin.	
494.	Roy H. Seamans to Town Board - Application for appointment as Dog Warden, Town of Lancaster.	R&F
495.	Fown Clerk to Town Board - Re: 1974 Land Fill Permit Application -	R&F
	Lancaster Sanitary Land Fill Inc.	
496.	Town Clerk to Town Board - Re: 1974 Excavating Permit Applications -	R&F
	Pine Hill Concrete Mix Corp.; Lancaster Stone Products, Corp.; and Houdaille	
	Construction Materials, Inc.	
497.	Helen M. Molik to Town Board - Notification - Resignation as Secretary	R & F
	to Supervisor effective 12/31/73.	
498.	Legislator Gallagher to Supervisor - Re: Changing of County fiscal year.	Town Attorney
499.	Clarence Rainess & Co. to Supervisor - Re: Proposal for furnishing accounting	R & F
	services to the Town of Lancaster.	
	William R. Trautman Associates to Town Attorney -	R & F
	Transmittal - Agreement on Nike Site Remodeling Project for Preliminary Design.	
501.	Krehbiel-Guay-Rugg-Hall to Town Board - Proposal for correction of low pressure water system and to establish water storage for fire protection.	RεF
502	Krehbiel-Guay-Rugg-Hall to Town Attorney -	Town Attorney
JU L •	Re: Town of Elma - Temporary cross- connection between Town of Lancaster	Water Committee
	water line and Town of Elma water line.	

ADJOURNMENT:

ON MOTION OF COUNCILMAN BERENT, AND SECONDED BY THE ENTIRE TOWN

BOARD AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

EUGENE C. GARNERET

ALBERT ENSER

CERIS R. MOORHEAD

Signed

Robert P. Thill. Town Clerk